

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

LUAY A. ALRAMMAH,

Plaintiff,

vs.

Case No.

THE UNITED STATES ARMY
CORPS OF ENGINEERS, and
LIEUTENANT GENERAL
SCOTT A. SPELLMON,
in his official capacity,

Defendants.

COMPLAINT

Plaintiff Luay Alammah (“Alammah”), for his Complaint against defendants the United States Army Corps of Engineers (“USACE”) and Lieutenant General Scott A. Spellmon, in his official capacity (“LTG Spellmon”), states and alleges as follows:

1. Plaintiff Alammah is an individual and resident of Spring Hill, Kansas.
2. Defendant USACE, with agency oversight under the responsibility of LTG Spellmon, is an engineer formation of the Unites States Army with global primary focuses on engineering, construction, and civil works.
3. Jurisdiction and venue are properly placed inasmuch as all employment and/or transactions relevant to this action arose within the Middle East District (“TAM”), a

contracted project site initiated by the USACE Kansas City District, and more specifically within this judicial district.

4. Plaintiff served USACE as a GS-0830-12/Project Engineer in a highly appropriate and productive manner, until his unlawful termination from employment with USACE on or about September 1, 2022.
5. Plaintiff has followed federal protocols by way of filing an initial complaint with his Equal Employment Opportunity (“EEO”) representative Marco Tarantino, after which his 180 day wait period expired, and this Complaint now follows pursuant to plaintiff’s statutory right to initiate suit given these circumstances.

**COUNT I: DISCRIMINATION IN VIOLATION
OF THE AGE DISCRIMINATION IN EMPLOYMENT ACT**

6. Plaintiff incorporates all of the foregoing allegations, and further states as follows.
7. Plaintiff is 62 years old.
8. Plaintiff served defendants USACE and LTG Spellmon as a GS-0830-12/Project Engineer in a highly appropriate and effective manner until his unwarranted and unjustified termination from employment with USACE on or about September 1, 2022.
9. Plaintiff Alammah successfully performed his duties at a satisfactory level throughout the duration of his active employment under defendants USACE and LTG Spellmon during the relevant time period preceding his discharge from employment.
10. During his employment under defendants plaintiff Alammah was placed in an unfair and unequal job role as compared to his similarly situated, younger co-workers.

11. Plaintiff Alrammah was assigned minimal tasks and was not introduced and/or given full range of his job responsibilities while similarly situated, younger co-workers were not subjected to the same treatment.
12. Plaintiff Alrammah made multiple attempts to remedy his situation, inclusive of voicing his concerns to USACE supervision, asking to meet with appropriate representatives, have the leadership hierarchy restructured in order to work under new supervision, as well as auditing project budgets and/or proposals in order to successfully complete his job responsibilities.
13. Plaintiff's supervision inclusive of Ronaldo Rodriguez denied these requests, and instead assigned plaintiff Alrammah to menial tasks that did not fit the job description of a GS-0830-12/Project Engineer, while similarly situated, younger co-workers were not subjected to the same treatment.
14. On or about September 1, 2022, plaintiff was wrongfully terminated from his employment with defendant USACE as a result of Mr. Rodriguez wrongfully accusing him of misconduct and insubordination, while similarly situated, younger employees were not similarly treated.
15. As a result of the foregoing, plaintiff was the victim of unlawful age discrimination.
16. The actions of defendants as set forth in the preceding paragraphs were unlawful violations of plaintiff's rights to be free of age discrimination under federal ADEA law as encompassed by 29 U.S.C. 621 et seq.
17. As a direct and proximate result of plaintiff's unlawful treatment by defendants, as referenced above, plaintiff Alrammah has incurred actual damages in a total amount exceeding \$75,000.00.

18. Plaintiff is further entitled to an award of liquidated damages in an amount exceeding \$75,000 due to the willful misconduct of defendants.
19. Plaintiff further is entitled to an award of reinstatement, back pay and/or front pay, his reasonable attorney's fees and expenses and prejudgment interest arising from defendants' unlawful actions.

WHEREFORE, plaintiff Alrammah prays for the Court's order granting him judgment as against defendants USACE and LTG Spellmon for his actual damages in an amount exceeding \$75,000.00, for liquidated damages in an amount exceeding \$75,000.00, for reinstatement, back pay and/or front pay, for his reasonable attorney's fees and expenses and prejudgment interest, together with such other relief as the Court deems proper.

COUNT II: RACE DISCRIMINATION
IN VIOLATION OF 42 U.S.C. § 2000e

20. Plaintiff incorporates all of the foregoing allegations, and further states as follows.
21. Plaintiff is a person of color.
22. Plaintiff served defendants USACE and LTG Spellmon as a GS-0830-12/Project Engineer in a highly appropriate and effective manner until his unwarranted and unjustified termination from employment with USACE on or about September 1, 2022.
23. Plaintiff Alrammah successfully performed his duties at a satisfactory level throughout the duration of his active employment under defendants USACE and LTG Spellmon during the relevant time period preceding his discharge from employment.
24. During his employment under defendants plaintiff Alrammah was placed in an unfair and unequal job role as compared to his similarly situated co-workers.

25. Plaintiff Alrammah was assigned minimal tasks and was not introduced and/or given full range of his job responsibilities while similarly situated, multi-racial co-workers were not subjected to the same treatment.
26. Plaintiff Alrammah made multiple attempts to remedy his situation, inclusive of voicing his concerns to USACE supervision, asking to meet with appropriate representatives, have the leadership hierarchy restructured in order to work under new supervision, as well as auditing project budgets and/or proposals in order to successfully complete his job responsibilities.
27. Plaintiff's supervision inclusive of Ronaldo Rodriguez denied these requests, and instead resigned plaintiff Alrammah to menial tasks that did not fit the job description of a GS-0830-12/Project Engineer, while similarly situated, multi-racial co-workers were not subjected to the same treatment.
28. On or about September 1, 2022, plaintiff was wrongfully terminated from his employment with defendant USACE as a result of Mr. Rodriguez wrongfully accusing him of misconduct and insubordination, while similarly situated, multi-racial employees were not similarly treated.
29. As a result of the foregoing, plaintiff was the victim of unlawful race discrimination.
30. The actions of defendants as set forth in the preceding paragraphs were unlawful violations of plaintiff's rights to be free of race discrimination under federal law as encompassed by 42 U.S.C. § 2000e et seq.
31. As a direct and proximate result of plaintiff's unlawful treatment by defendants, as referenced above, plaintiff Alrammah has incurred actual damages in a total amount exceeding \$75,000.00.

32. Plaintiff is further entitled to an award of compensatory damages in an amount exceeding \$75,000 due to the inconvenience, embarrassment, humiliation, and lost peace of mind sustained by plaintiff resulting from his course of unlawful treatment by defendants.
33. Plaintiff further is entitled to an award of reinstatement, back pay and/or front pay, his reasonable attorney's fees and expenses and prejudgment interest arising from defendants' unlawful actions.

WHEREFORE, plaintiff Alrammah prays for the Court's order granting him judgment as against defendants USACE and LTG Spellmon for his actual damages in an amount exceeding \$75,000.00, for compensatory damages in an amount exceeding \$75,000.00, for reinstatement, back pay and/or front pay, for his reasonable attorney's fees and expenses and prejudgment interest, together with such other relief as the Court deems proper.

COUNT III: NATIONAL ORIGIN DISCRIMINATION
IN VIOLATION OF 42 U.S.C. § 2000e

34. Plaintiff incorporates all of the foregoing allegations, and further states as follows.
35. Plaintiff is a United States citizen, with his country of origin and place of birth being that of Iraq.
36. Plaintiff served defendants USACE and LTG Spellmon as a GS-0830-12/Project Engineer in a highly appropriate, ~~—~~ and effective manner until his unwarranted and unjustified termination from employment with USACE on or about September 1, 2022.
37. Plaintiff Alrammah successfully performed his duties at a satisfactory level throughout the duration of his active employment under defendants USACE and LTG Spellmon during the relevant time period preceding his discharge from employment.

38. During his employment under defendants plaintiff Alrammah was placed in an unfair and unequal job role as compared to his similarly situated, American co-workers.
39. Plaintiff Alrammah was assigned minimal tasks and was not introduced and/or given full range of his job responsibilities while similarly situated, American co-workers were not subjected to the same treatment.
40. Plaintiff Alrammah made multiple attempts to remedy his situation, inclusive of voicing his concerns to his USACE supervision, asking to meet with appropriate representatives, have the leadership hierarchy restructured in order to work under new supervision, as well as auditing project budgets and/or proposals in order to successfully complete his job responsibilities.
41. Plaintiff's supervision inclusive of Ronaldo Rodriguez denied these requests, and instead resigned plaintiff Alrammah to menial tasks that did not fit the job description of a GS-0830-12/Project Engineer, while similarly situated, American co-workers were not subjected to the same treatment.
42. On or about September 1, 2022, plaintiff was wrongfully terminated from his employment with defendants USACE as a result of Mr. Rodriguez wrongfully accusing him of misconduct and insubordination, while similarly situated, American employees were not similarly treated.
43. As a result of the foregoing, plaintiff was the victim of unlawful national origin discrimination.
44. The actions of defendants as set forth in the preceding paragraphs were unlawful violations of plaintiff's rights to be free of national origin discrimination under federal law as encompassed by 42 U.S.C. § 2000e et seq.

45. As a direct and proximate result of plaintiff's unlawful treatment by defendants, as referenced above, plaintiff Alrammah has incurred actual damages in a total amount exceeding \$75,000.00.
46. Plaintiff is further entitled to an award of compensatory damages in an amount exceeding \$75,000 due to the inconvenience, embarrassment, humiliation, and lost peace of mind sustained by plaintiff resulting from his course of unlawful treatment by defendants.
47. Plaintiff further is entitled to an award of reinstatement, back pay and/or front pay, his reasonable attorney's fees and expenses and prejudgment interest arising from defendants' unlawful actions.

WHEREFORE, plaintiff Alrammah prays for the Court's order granting him judgment as against defendants USACE and LTG Spellmon for his actual damages in an amount exceeding \$75,000.00, for compensatory damages in an amount exceeding \$75,000.00, for reinstatement, back pay and/or front pay, for his reasonable attorney's fees and expenses and prejudgment interest, together with such other relief as the Court deems proper.

JURY TRIAL DEMAND

Plaintiff hereby demands a trial by jury as to all issues so triable.

Respectfully Submitted,

LAW OFFICES OF ALBERT F. KUHL

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